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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,523	07/28/2006	Rudy Musschebroeck	NL 050110	2332
24737 7590 11/14/2008 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER				
PENG, FRED H				
ART UNIT		PAPER NUMBER		
2426				
MAIL DATE		DELIVERY MODE		
11/14/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/597,523

**Applicant(s)**

MUSSCHEBROECK ET AL.

**Examiner**

FRED PENG

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Yuen et al (US 2005/0008333).

Regarding Claim 1, Yuen discloses a method of enabling to configure a device (FIG. 1, 14) for enabling a user to select from among a plurality of sources that supply content, the method comprising:

determining the plurality of sources available to the user for operational use of the device (FIG.8; FIG.28, 622, 632; Para 111; programs from a program guide listing from a local cable provider);

determining respective representations of respective ones of the sources for being rendered at a user interface of the device (Para 122; when a channel is highlighted through a program guide); and

providing means for configuring the device so that user interaction with a specific one of the representations rendered causes the device to select a specific one of the sources associated with the specific representation (Para 122; when a program is selected the tuner then tunes to the corresponding channel).

Regarding Claim 2, Yuen further discloses the determining of the plurality of sources comprises determining respective identifiers, being local to the user, of respective ones of the plurality of the sources (FIG.28, 626, 630), and

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the means is operative to associate the respective representations with the respective identifiers (FIG.28; a table to associate a broadcast channels with local channel numbers).

Regarding Claim 3, Yuen further discloses the means comprising a look-up table of association of the respective local identifiers and the respective representations (FIG.28).

Regarding Claim 4, Yuen further discloses the sources comprise a broadcast channel having a channel number as an associated one of the identifiers (FIG.28, 626, 630); and a corresponding one of the representations associated with the channel number comprises a logo or call sign of the channel (622,632; CBS, NBC are call signs).

Regarding Claim 5, Yuen further discloses the source comprising a broadcast channel having a channel number as an associated one of the identifiers (FIG.28, 624, 628); and a corresponding one of the representations associated with the channel number is indicative of semantics of the content broadcast on the channel (FIG.28, 622, WBBM or WMAQ is semantics of the content broadcast on the channel).

Regarding Claim 6, Yuen further discloses the determining of the plurality of sources comprising determining in which geographical area the user resides (Para 112; such as Los Angeles metropolitan area).

Regarding Claim 7, Yuen further discloses the determining of the plurality of resources comprising determining a content service provider of the user (Para 130; channel conversion based on each local cable carrier).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRED PENG whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 09:00-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fred Peng  
Patent Examiner

Vivek Srivastava  
Supervisory Patent Examiner

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Supervisory Patent Examiner, Art Unit 2426